

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

**FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**

AUG 20 2013

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

JAMES W. McCORMACK, CLERK
By: Brown
DEP CLERK

CASE NO. 2:13-CV-105 SWW/HDY

Jury Trial: ☒ Yes ☐ No
(Check One)

I. Parties

In item A below, place your full name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

Name of plaintiff: Willie Washington
ADC # 133081

Address: 500 S. German Ln/Conway, Ark 72034

Name of plaintiff: _____
ADC # _____

This case assigned to District Judge Wright
and to Magistrate Judge Young

Address: _____

Name of plaintiff: _____
ADC # _____

Address: _____

In item B below, place the full name of the defendant in the first blank, his official position in the second blank, his place of employment in the third blank, and his address in the fourth blank.

B. Name of defendant: Bobby Mays

Position: Sheriff of St. Francis Co

Place of employment: St. Francis Co Sheriff's Department

Address: X 313 S. Izard st suit #10 Forrest City, Ark 72336

Name of defendant: Ms. Johnny

Position: Jail Administrator

Place of employment: St. Francis Co Sheriff's Department

Address: X 313 S. Izard st suit #10 Forrest City, Ark 72336

Name of defendant: Jane Doe #1

Position: County Clerk

Place of employment: St. Francis Co Clerks office

Address: X 313 S. Izard st suit #10 Forrest City, Ark 72336

Name of defendant: _____

Position: _____

Place of employment: _____

Address: _____

II. Are you suing the defendants in:

- ☐ official capacity only
☐ personal capacity only
☒ both official and personal capacity

III. Previous lawsuits

- A Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ___ No X

- B. If your answer to A is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

- ☐ Parties to the previous lawsuit:

Plaintiffs: _____

Defendants: _____

- ☐ Court (if federal court, name the district; if state court, name the county):

- ☐ Docket Number: _____
- ☐ Name of judge to whom case was assigned: _____
- ☐ Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____
- ☐ Approximate date of filing lawsuit: _____
- ☐ Approximate date of disposition: _____

IV. Place of present confinement: FCDC 500 S. Gesman Lane
Conway, Ark 72034

V. At the time of the alleged incident(s), were you:
(check appropriate blank)

_____ in jail and still awaiting trial on pending criminal charges

_____ serving a sentence as a result of a judgment of conviction

_____ in jail for other reasons (e.g., alleged probation violation, etc.)
explain: _____

VI. The Prison Litigation Reform Act (PLRA), 42 U.S.C. § 1997e, requires complete exhaustion of administrative remedies of all claims asserted, prior to the filing of a lawsuit. There is a prisoner grievance procedure in the Arkansas Department of Correction, and in several county jails. Failure to complete the exhaustion process provided as to each of the claims asserted in this complaint may result in the dismissal without prejudice of all the claims raised in this complaint.

Did you file a grievance or grievances presenting the facts set forth in this complaint?

Yes _____ No X

Did you completely exhaust the grievance(s) by appealing to all levels within the grievance procedure?

Yes _____ No X

If not, why? There was no grievance procedure that I new of. But I did
grieved verbley everyday to officer's and a couple of days I grieved
to the Jail Administrator Ms. Johnny she told me that I needed to
wait till my court day. And When I went to court the court
Clerk meet me and officer ^{dis-}Hardy outside the door and asked me
was my name Washington and when was my birthday 81 or 84. I told her 1981 she said
yall have the wrong guy.

VII. Statement of Claim

- 1) On or about 3/2/12 I was arrested by Forest City Sheriff's Dept on a warrant for charges I was sentenced to ADC for in February of 2011, the case was CA-2010-729. After producing the paperwork I was released.

The same jurisdiction arrested me in September or Oct of 2012 (exact date unknown, paperwork is at my home) for the same charge (CA2010-729) that I went to prison for.

The Sheriff Bobby Mays and Jail Admin Ms Johnny (who I spoke w/ about the issue) are responsible for following proper procedure which they failed to do which resulted in my false arrest and imprisonment. The clerk's county itself is culpable for this gross injustice and I am suing for approx. 30 days false imprisonment.

- 2) During my illegal confinement I was subjected to cruel & unusual punishment in the form of random pepper spray attacks, phone deprivation and other random actions against my rights, including strip searches.

VIII Relies

I wish to file a suit against A Francis County, Sheriff Mays, Admin Johnny and the Court Clerk who should've removed the warrant for false imprisonment. I am asking for \$200,000 per day I was falsely held by these entities totaling around \$24,000,000.

To determine the money asked for I took the Young v LittleRock (2008) Judgment of \$100,000 for 3 hours and extrapolated accordingly.

At this time I would be willing to settle out of court with the named Defendants, under gag order, for 1/3 (\$8,000,000) the total, paid out over no more than eight years.

I declare under penalty of perjury (18 USC § 1621) that the foregoing is true & correct.

Executed this 4 day of Aug, 2014.

Willie L. King